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DAVID P. CUSICK, TRUSTEE, #160467  
NEIL ENMARK, #159185, attorney for Trustee  
TALVINDER S. BAMBHRA, #230907, attorney for Trustee  
P.O. Box 1858  
Sacramento, California 95812-1858  
legalmail@cusick13.com  
(916) 856-8000

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF CALIFORNIA  
SACRAMENTO DIVISION

IN RE:	)	Case No: 13-21046-C-13C
	)	DCN: DPC-1
	)	
JOHN HOWARD HELLIWELL)		NOTICE OF TRUSTEE'S MOTION TO
TAMMY MARIE HELLIWELL)		DISMISS CASE
	)	
	)	DATE: SEPTEMBER 10, 2014
	)	TIME: 10:00 A.M.
	)	JUDGE: KLEIN
<u>Debtor(s)</u>	)	COURTROOM: 33

**NOTICE IS HEREBY GIVEN PURSUANT TO LBR 9014-1(f)(1),** that DAVID P. CUSICK, Standing Chapter 13 Trustee, has filed with the Court, a Motion to Dismiss Case.

**YOU HAVE UNTIL AUGUST 27, 2014 TO FILE A WRITTEN RESPONSE OR  
OPPOSITION TO THIS MOTION.**

Even if you believe the issues brought up in the Motion to Dismiss have been resolved, do not assume the Court or Trustee knows this. You should still file a response or opposition stating why you believe the issues have been resolved.

1 If you do not file a timely written response or opposition with the Court to this motion,  
2 the Court may resolve this matter without oral argument, **AND YOU MAY NOT BE**  
3 **ALLOWED A HEARING.** Any opposition should be accompanied with evidence to support  
4 any factual allegations. You should consult the Court website [www.caeb.uscourts.gov](http://www.caeb.uscourts.gov) for any  
5 "Pre-Hearing Disposition" of this matter, because even if you file a response or opposition, the  
6 Court may not hold a hearing on this matter.  
7

8 THE MOTION SHALL BE HEARD by the Court on SEPTEMBER 10, 2014, at 10:00  
9 A.M. at the United States Courthouse located at 501 "T" Street, 6th Floor, Sacramento,  
10 California, in Courtroom 33.  
11

12 IF YOU DO NOT WANT THIS CASE DISMISSED, you must file a written opposition  
13 and appear at the hearing unless the Court removes the matter without oral argument.  
14


15 THE HEARING MAY BE CONTINUED on the motion to such date, time, and place as  
16 the Court may order, and without additional notice to you unless so ordered by the Court.  
17

18 **Any response or opposition** should be served and filed with the Clerk by the responding  
19 party not less than fourteen (14) calendar days preceding the date of this hearing. Copies of any  
20 response or opposition should also be served to the Chapter 13 Trustee at this address:

21 **DAVID P. CUSICK, TRUSTEE**  
22 **P.O. Box 1858**  
**Sacramento, California 95812-1858.**

23 **Your rights may be affected.** You should read these papers carefully and discuss  
24 them with your attorney, if you have one in this bankruptcy case. (If you do not have an  
25 attorney, you may wish to consult one.)  
26

27 Dated: August 13, 2014  
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Neil Enmark, Attorney for Trustee